

## **Privacy Policy**



Reviewed and Adopted by the PSS, Chief Executive Officer on July 2024

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# Privacy Policy

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Plan Partners is committed to managing personal information in an open and transparent way, protecting the privacy and rights of individuals, and meeting our privacy obligations.

In line with our values, Plan Partners respects and upholds an individual's rights in relation to all personal or sensitive information it collects, holds, and administers in the process of providing its services.

This policy sets out how we collect, use, disclose and manage your personal or sensitive information. These commitments are undertaken to comply with Australia Privacy Principles (APPs) prescribed in the *Privacy Act 1998 (Cth)*.

Plan Partners is part of the McMillan Shakespeare (**MMS**) group of companies. The MMS Privacy Policy is available on the MMS website at [www.mmsg.com.au/privacy](http://www.mmsg.com.au/privacy).

## 1. Types of personal information we collect

According to the Privacy Act 1988 (Cth) personal information is generally considered to be information or an opinion from which your identity is apparent or can be reasonably ascertained. The types of information we may collect include:

- information about your identity (e.g. date of birth, country of birth, passport details, visa details and drivers' licence);
- name, address (e.g. residential and mailing address) and contact details (e.g. phone and email);
- information about your personal circumstances (e.g. age, gender, marital status and occupation);
- information about your financial affairs (e.g. payment details, bank account details, and information about business and financial interests);
- information about your employment (e.g. employment, work history and salary and the name and address of your employer); and
- government identification.

## 2. Types of sensitive information we collect

We may also collect or hold a range of sensitive information about you. The types of sensitive information we may collect include your health information (including information about your medical history and any disability or injury you may have), your racial or ethnic origin, information about any criminal activities you may have been involved in, and your biometric information (including photographs and voice or video recordings of you, where these materials are collected, stored and used for their biometric properties).

Generally, we do not collect sensitive information about you that will not aid in service delivery, including:

- your religious beliefs or affiliations;
- your philosophical beliefs;
- your sexual preferences or practices; and
- your membership of political and professional or trade associations or unions.

We may have to collect such sensitive information with your prior consent if the information is required to provide you with a specific product or service. We may also have to collect sensitive information where required by law. In some circumstances, we may collect sensitive information about you from a third party.

When you visit our websites, we may collect statistics on the number, date and time of your visit, the number of pages viewed and the way you navigate through our sites.

When you call us, we may collect statistics on the number, date and time of your call and the way you navigated through our telephony system. We may also monitor and/or record in-coming and out-going telephone calls for taxation, verification, substantiation and quality assurance purposes.

### 3. Why we collect your personal and sensitive information

We will generally only collect personal information if it is reasonably necessary for, or directly related to, one or more of our functions or activities. If the information is sensitive information, we will generally collect it with your consent. Sometimes we may be required to collect sensitive information without your consent, such as when it is required or authorised by a law, or a court or tribunal order.

We may collect, hold, use and disclose your personal or sensitive information for purposes including the administration of your NDIS funds, coordination of your disability supports, and liaising with your support providers, and with the National Disability Insurance Agency (**NDIA**).

We may collect personal or sensitive information to assess, investigate and respond to any allegation of abuse, assault, or neglect of customers and, where necessary, to provide the required reports to the relevant regulatory authorities, including mandatory reporting to the NDIS Quality and Safeguards Commission (**NDIS Commission**).

Plan Partners will take reasonable steps to ensure that each participant understands what personal information will be collected and informed of the reason for the collection.

### 4. How we collect your personal and sensitive information

Plan Partners will only collect personal or sensitive information where it is reasonable and practical to do so, and we will almost always collect personal or sensitive information directly from you or your legal representatives.

How we collect your personal information will depend on how you interact with us. For example, we may collect it through your access and use of our websites, during your conversations with our representatives or from application forms you complete.

There may be occasions when we may need to collect your personal information from third parties, with or without your direct involvement but we will obtain your prior consent if we may need to obtain your sensitive information from third parties. Depending on the products or services you request or receive, the third parties from whom we may collect personal information from include your employer, market research organisations, third party brokers and agents, government agencies, your nominated representatives and advisers and other organisations who, jointly with us, provide products or services to you. These third parties may include medical practitioners, health and disability support providers.

### 5. Disclosing your personal and sensitive information

We will not give your personal information to government agencies, private sector organisations, or anyone else unless you consent, or we are permitted to do so by law, or one of the following other exceptions applies:

- you would reasonably expect us to use the information for that purpose;
- it is legally required or authorised, such as by an Australian law, or court or tribunal order;
- where such information is formally requested by regulatory bodies, government agencies and law

enforcement bodies, including the NDIA or the NDIS Commission;

- we reasonably believe that it is necessary to lessen or prevent a serious threat to the life, health or safety of any individual, or to public health or safety; or
- we have reason to suspect that unlawful activity, or misconduct of a serious nature, that relates to our functions or activities has been, is being or may be engaged in, and we reasonably believe that it is necessary for us to take appropriate action in relation to the matter.

You acknowledge that in the unlikely event that the assets and operations of our business are sold (or offered for sale) to another party, our records containing your personal and sensitive information may be disclosed to (and/or transferred to) that party and its advisors.

## 6. What if we can't collect your information?

If you do not provide us with the personal or sensitive information described above, some or all of the following may happen:

- we may be unable to provide the requested products or services to you, either to the same standard or at all;
- we may be unable to provide you with information about products and services you may want; or
- we may be unable to tailor the content of our websites to your preferences and your experience of our websites may not be as enjoyable or useful.

## 7. Marketing our products and services to you

We may use your information to offer you products or services we believe may be of interest to you. These may include products and services of Plan Partners and other MMS companies and brands, as well as products and services of carefully selected third party companies and brands that we work with. We may contact you by various means including telephone, mail, SMS, fax or email. You can notify us at any time if you no longer wish to receive marketing communications. Our contact details are set out in section 13 of this Privacy Policy.

We do not sell personal or sensitive information to other organisations to allow them to send their direct marketing to you.

## 8. Protection of your personal and sensitive information

We take reasonable steps to ensure your personal and sensitive information is protected from misuse and loss and from unauthorised access, modification or disclosure. We may hold your information in either electronic or hard copy form. We take all appropriate steps to ensure that any personal and sensitive information is destroyed or de-identified when no longer needed by us or as required by law.

We safeguard our IT systems against unauthorised access and ensure that paper-based files are secured. We also ensure that access to your personal or sensitive information within our systems is limited to staff who need to have access to do their work, and to people that you have authorised access to the information available on your Dashboard.

If a data breach occurs, such as if personal or sensitive information that we hold is subject to unauthorised loss, use or disclosure, we will respond in line with the Office of the Australian Information Commissioner's data breach notification process. We will aim to provide timely advice to you to mitigate any potential harm or loss, financial or otherwise, that could result from the breach.

When browsing our websites, you acknowledge that the internet is not always a secure environment and that the computer and network you use contribute to the overall level of effective protection in place. You

further acknowledge that any transmission of information over the internet is out of our control before it reaches our system. Only once we receive your transmission, we can take reasonable steps to ensure its security. To protect your information online, we ask that you observe the security requirements relating to the protection of your user identification number and/or password used to access your online account.

We recommend that you:

- change your password on initial access to our website;
- ensure the user identification number given to you is kept securely;
- destroy any documentation (including any email) we issue containing your password;
- memorise your user identification number and password;
- do not tell anyone of your user identification number and password; and
- immediately telephone us if you suspect your online account or related email account has been breached.

## 9. Links to other websites

Our websites may contain hyperlinks to other sites maintained by different organisations. We do not claim any association with websites which are not clearly identified as our own and do not take any responsibility for their content. We encourage you to read each website's privacy policies before providing any personal or sensitive information.

## 10. Accessing or correcting your information

You have a right to access personal or sensitive information we hold about you. You also have a right under the Privacy Act to request corrections to any personal or sensitive information that we hold about you if you think the information is inaccurate, out-of-date, incomplete, irrelevant or misleading. The type of information you request will determine the length of time we take to respond. We will generally respond using the same communication method by which your request was originally made.

If you believe that personal information or sensitive information that we hold about you is out-of-date, incomplete, inaccurate, irrelevant or misleading, then you may request that we correct it.

On occasion we will ask that you put your request in writing. This may include instances where you want copies of material or access to archived information or if the nature of your application makes it necessary for us to retain a record of your request.

It is also possible to access, and correct documents held by us under the Freedom of Information Act 1982 (**the FOI Act**). In some circumstances we will suggest that you make your request for personal information under the FOI Act.

This is because:

- an FOI access request can relate to any document in our possession and is not limited to personal information;
- the FOI Act contains a consultation process for dealing with requests for documents that contain personal or business information about another person;
- you can complain to the Australian Information Commissioner about what we do under the FOI Act; and
- if you are refused access under the FOI Act you have a right to apply for internal review or Information Commissioner review of the access refusal decision.

Find out more information about how to make a request under the FOI Act on the Australian Freedom of Information website at [www.oaic.gov.au/freedom-of-information](http://www.oaic.gov.au/freedom-of-information). You can also make a request by emailing [foi@ag.gov.au](mailto:foi@ag.gov.au).

We will not charge you to access your personal information. However, there may be a charge involved for us to process a request under the FOI Act that goes beyond a typical request for personal information.

To make an enquiry about our compliance with the privacy laws, our privacy policy, or to access or correct the personal information we hold about you, please contact us.

We are entitled to refuse you access to your information in certain circumstances. For example, you may not be able to access information that would reveal information about another person, is commercially sensitive material or we are prevented by law from disclosing. If this happens, we will provide you with a reason for the refusal. If you have any questions regarding this policy or any concerns regarding our treatment of your personal information, we invite you to contact us.

## 11. Cookies

We may use cookies and other tracking technologies on our websites to collect various information about how you interact with our websites. This website usage data is not intended to identify any particular user, but in some cases may include personal identifiers (e.g. IP address, device IDs and session details) and details of your user interactions on our website (e.g. what pages you visit and what you choose to click on).

When you access our website, we may send a “cookie” (which is a small summary file containing a unique ID number) to your computer or device. This enables us to recognise your computer or device and greet you each time you visit our website without bothering you with a request to register. It also enables us to keep track of products or services you view so that we can send you news about those products or services.

We also use cookies to conduct website analytics - for example, to measure traffic patterns, to determine which areas of our website have been visited and to measure transaction patterns in the aggregate. We use this to research our users’ habits so that we can improve our websites and other online products and services. If you do not wish to receive cookies, you can set your browser so that your computer does not accept them.

We may use cookies to log IP addresses (that is, the electronic addresses of computers connected to the internet) to analyse trends, administer the website, track users’ movements, and gather broad demographic information.

## 12. Do we disclose your personal information to anyone outside of Australia?

We may need to provide your personal information to an overseas recipient as part of our work. Wherever appropriate, we will ensure that we either have your consent or that your personal information is not identifiable.

In some cases, this will not be possible or appropriate, such as when our administrative functions require that we become involved in a law enforcement matter such as a criminal investigation. We may also disclose your personal information to recipients overseas under international agreements that relate to information between Australia and other countries.

If we are unable to seek your consent to provide your personal information to an overseas recipient, or it is impractical to do so, we will only provide your personal information to an overseas recipient if we can do so under the Privacy Act.

To provide our services to our customers we may engage other Service Providers to perform certain functions. These functions may involve the hosting or accessing of personal information by the Service



Provider outside Australia.

### 13. Complaints

If you have any questions, concerns or have a complaint about how we have handled your personal or sensitive information or you believe there is a possible breach, please contact us using the details below.

We will respond to your complaint in accordance with our Feedback and Complaints Policy and Procedure, available on our website at [www.planpartners.com.au](http://www.planpartners.com.au), or by contacting us.

If you are still not satisfied with our response, you may also make a complaint to the Office of the Australian Information Commissioner on 1300 363 992 or visit [www.oaic.gov.au](http://www.oaic.gov.au) or, you can contact the NDIS Commission on 1800 035 544 or visit [www.ndiscommission.gov.au](http://www.ndiscommission.gov.au).

Our contact details are;

Email: [privacy@planpartners.com.au](mailto:privacy@planpartners.com.au)

Mail: The Privacy Officer  
Plan Partners  
Level 21, 360 Elizabeth Street  
Melbourne VIC 3000

Phone: 1300 333 700

### 14. Policy Review

We reserve the right to change this Privacy Policy from time to time by posting an updated version on our website.

### 15. Legislation, Standards and Agreements

This Policy recognises various legislation, standards and agreements, including, but are not limited to:

- Privacy Act 1988 (Cth)
- National Disability Insurance Scheme Act 2013 (Cth)
- Anti-Money Laundering Counter-Terrorism Financing Act 2006 (Cth)
- Freedom of Information Act 1982
- Health Records Act 2012
- NDIS Practice Standards
- NDIS Quality and Safeguarding Framework
- NDIS Code of Conduct